

Occupational Safety and Health Administration

Vermont State Standards; Approval

1. Background

Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary), (29 CFR 1953.4), will review and approve standards promulgated pursuant to a State Plan, which has been approved in accordance with Section 18(c) of the Act and 29 CFR Part 1902. On October 16, 1973, notice was published in the **Federal Register** (38 FR 28658) of the approval of the Vermont State Plan and the adoption of Subpart U to Part 1952 containing the decision. The Vermont State Plan provides for the adoption of Federal standards as State standards after:

a. Publishing for two (2) successive weeks, in three (3) newspapers having general circulation in the center, northern and southern parts of the State, an intent to amend the State Plan by adopting the standard(s).

b. Review of standards by the Interagency Committee on Administrative Rules, State of Vermont.

c. Approval by the Legislative Committee on Administrative Rules, State of Vermont.

d. Filing in the Office of the Secretary of State, State of Vermont.

e. The Secretary of State publishing, not less than quarterly, a bulletin of all standard(s) adopted by the State.

The Vermont State Plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under Section 6 of the Act. By letter dated January 23, 1995, from Mary S. Hooper, Commissioner, Vermont Department of Labor and Industry, to Cindy A. Coe, then Acting Regional Administrator, and incorporated as part of the plan, the State submitted updated State standards identical to 29 CFR Parts 1904 and 1910, and subsequent amendments thereto, as described below:

(1) Revision to 29 CFR 1904.8, Reporting of fatality or multiple hospitalization incidents, as published in the **Federal Register** of April 1, 1994 (59 FR 15600); and

(2) Revisions and corrections to 29 CFR 1910.132, 1910.133, 1910.135,

1910.136, 1910.138, and Appendices A and B, Personal Protective Equipment for General Industry as published in the **Federal Register** of April 6, 1994 (59 FR 16360) and July 1, 1994 (59 FR 33910).

These standards became effective on January 1, 1995, pursuant to Section 224 of State Law.

2. Decision

The above State standards have been reviewed and compared with the relevant Federal standards. It has been determined that the State standards are identical to the Federal standards, and are accordingly approved.

3. Location of Supplement for Inspection and Copying

A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, 133 Portland Street, Boston, Massachusetts 02114; Office of the Commissioner, State of Vermont, Department of Labor and Industry, 120 State Street, Montpelier, Vermont, 05602; and the Office of State Programs, 200 Constitution Avenue, N.W., Room N-3700, Washington, D.C. 20210.

4. Public Participation

Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Vermont State Plan as proposed change and making the Regional Administrator's approval effective upon publication for the following reason:

1. The standards were adopted in accordance with the procedural requirements of the State Law which included public comment, and further public participation would be repetitious.

This decision is effective on April 25, 1995.

Authority: Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667).

Signed at Boston, Massachusetts, this 21st day of March, 1995.

Cindy A. Coe,

Deputy Regional Administrator.

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NATIONAL CAPITAL PLANNING COMMISSION

District of Columbia Historic Preservation Review Board; Proposed Sports and Entertainment Arena; Public Meeting on Historic Preservation Issues

AGENCY: National Capital Planning Commission.

SUMMARY: In accordance with Section 106 of the National Historic Preservation Act, the National Capital Planning Commission has requested the comments of the State Historic Preservation Officer for the District of Columbia in assessing the potential effects on historic properties of the proposed sports and entertainment arena.

The proposed 20,600 seat arena is scheduled to be completed in time for the 1997/98 basketball and hockey seasons. The proposed site is at Gallery Place, which includes the following: Square 455, which is bounded by G, 6th, F, and 7th Streets, N.W.; the right-of-way of the 600 block of G Street, N.W., and approximately the southern fifth of Square 454 which is bounded by H, G, and 7th Streets, NW.

The National Capital Planning Commission announces that as part of the State Historic Preservation Officer's review, the Historic Preservation Review Board is holding a public meeting to review the Section 106 documentation which identifies affected historic properties, assesses the potential impacts, and discusses potential measures to mitigate or avoid the adverse effects, including consideration of alternative sites. The meeting will be held on: Wednesday, May 24, 1995 at 10:00 AM, 441-4th Street, NW. (#1 Judiciary Square), Room 220 South (Zoning Commission Hearing Room).

The documentation to be considered will be available to the Board and to the general public on and after May 10, 1995 and may be reviewed by calling the Historic Preservation Division at 727-7360.

SUPPLEMENTARY INFORMATION: This meeting will also serve as a component of the public participation efforts required to be undertaken by the National Capital Planning Commission by Section 106 under regulations of the Advisory Council on Historic Preservation. (See 36 CFR 800.3, 800.4 and 800.5). Part 800.5 stipulates that interested persons must be given an opportunity to receive information and express their views. Use of existing public agency involvement procedures